

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

In re:

LARRY ALLEN CLUCHEY,

Debtor.

Case No. 21-00524-jwb

Chapter 7

Honorable James W. Boyd

WORLD ENERGY INNOVATIONS,
LLC, f/d/b/a WORTHINGTON ENERGY
INNOVATIONS, LLC,

Plaintiff

v.

Adversary Proceeding No. 21-80053

LARRY ALLEN CLUCHEY,
SHERRY D. CLUCHEY,

Defendants.

DEFENDANT LARRY ALLEN CLUCHEY'S AFFIRMATIVE DEFENSES

NOW COMES Defendant Larry Allen Cluchey and gives notice that he may rely on one or more of the following Affirmative Defenses:

- A. That Plaintiff's Complaint fails in whole or in part to state a claim upon which relief can be granted. *See* Motion to Dismiss that was filed herein.
- B. That Plaintiff's claims may be barred in whole or in part due to a failure to mitigate damages. Plaintiff's damages were a result of ARP's failure to properly bid the contract.
- C. Defendant reserves the right to assert other affirmative defenses as may become known through discovery.

Dated: June 14, 2021

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